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Champion Energy, LLC)
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Petition for Relief to Protect a Portion of)
Petitioner's Report of Continuing)
Compliance as an Alternative Retail)
Supplier From Disclosure For Not Less)
Than Five Years To Protect Highly)
Confidential and Proprietary Information)

CHIEF CLERK'S OFFICE

Docket No. 09- 0068

PETITION FOR RELIEF OF CHAMPION ENERGY, LLC

Pursuant to 83 Ill. Adm. Code Section 451.60, Champion Energy, LLC ("Petitioner" or "Champion"), hereby petitions the Illinois Commerce Commission ("ICC" or "Commission") for relief to protect portions of the Petitioner's Report of Continuing Compliance as an Alternative Retail Electric Supplier ("ARES") from disclosure for not less than five years to protect highly confidential and proprietary information included therein. In support of this Petition, Petitioner states as follows:

1. Petitioner is certified by the Commission as an ARES in the State of Illinois. The Commission granted the Petitioner a certificate of service authority as an ARES on January 17, 2007, in Docket No. 06-0720.
2. Petitioner is required to provide to the Commission an Annual Report of Continuing Compliance certifying that it continues to comply with the requirements to maintain an ARES certificate pursuant to 83 Ill. Adm. Code. Part 451, Subpart H.
3. Pursuant to 83 Ill. Adm. Code 451.710, on January 30, 2009, Petitioner will submit its ARES Annual Report for calendar year 2008 ("2008 Annual Report") to the Chief Clerk of the Commission with copies provided to the Manager of the Energy Division and the

Manager of the Financial Analysis Division. Certain attachments to Petitioner's 2008 Annual Report contain confidential and proprietary information and will be designated as such upon submission to the Commission. More specifically, Attachment D and companion Attachments D-2, D-3, D-4, and D-5 to the 2008 Annual Report contain information provided to demonstrate that Champion satisfies the financial qualifications needed to serve as an ARES.

4. Information contained in Attachments D, D-2, D-3, D-4, and D-5 to Champion's 2008 Annual Report is highly sensitive material that Champion has designated to be highly proprietary and confidential information and should be protected from public disclosure. Specifically, the information contains trade secrets and/or commercial and financial information that is privileged or confidential and is exempt from public disclosure under Section 7(g) of the Illinois Freedom of Information Act, 5 ILCS 140/7.

5. Section 451.60 of the Commission's administrative rules (83 Ill. Adm. Code 451.60) provides that "If an applicant or ARES believes any of the information to be disclosed by an applicant or ARES is privileged or confidential, the applicant or ARES should request that the Commission enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies pursuant to 83 Ill. Adm. Code 200.430."

6. Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7(g)), exempts from public disclosure "trade secrets and commercial or financial information . . . where the trade secrets or information are proprietary, privileged or confidential, or where disclosure of such trade secrets or information may cause competitive harm." The financial information contained in the Petitioner's 2008 Annual Report falls within this exemption. More particularly, the material includes, but is not limited to, market-sensitive material which is company specific, and/or information of highly commercially sensitive nature involving company business

operations or financial information. The confidential commercial and financial information in these exhibits is not widely available or known outside of Champion and would be of considerable value to competitors, or potential competitors, of Champion to the serious detriment of Champion.

7. The electric service industry is highly competitive, and it is imperative that public disclosure of the confidential information contained in Champion's 2008 Annual Report be avoided for a period of at least five years. The Commission has previously afforded proprietary and confidential treatment to the type of information contained in Champion's 2008 Annual Report for which Champion seeks protection. *See, e.g., Champion Energy, LLC's Petition for Relief to Protect a Portion of Petitioner's Report of Continuing Compliance as an Alternative Retail Supplier From Disclosure*, Docket No. 08-0072 (Apr. 23, 2008); *Constellation NewEnergy, Inc.'s Petition For Emergency Relief*, Docket No. 08-0070 (Apr. 9, 2008); *Direct Energy Services, LLC's Petition for Emergency Relief*, Docket No. 08-0076 (Mar. 12, 2008).

8. Accordingly, Petitioner seeks an Order from this Commission, without hearing, protecting from disclosure, for a period of not less than five years from the date of this Order, the Petitioner's confidential and proprietary information provided in Attachments D, D-2, D-3, D-4, and D-5 of the Petitioner's 2008 Annual Report. For the Commission's convenience, a Draft Order in a form substantially similar to the Order issued by the Commission in Docket No. 08-0072 is attached hereto.

WHEREFORE, PREMISES CONSIDERED, Champion Energy, LLC respectfully requests that the Commission enter an Order, without hearing, protecting from disclosure the above-referenced exhibits filed with Commission for a period of not less than five years.

Respectfully submitted,

CHAMPION ENERGY, LLC

A handwritten signature in cursive script, appearing to read "B. Crockett", is written over a horizontal line.

Brenda Crockett
Vice President

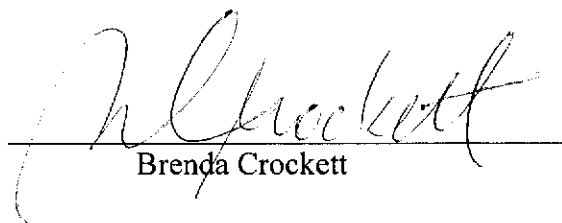
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Dated: January 30, 2009

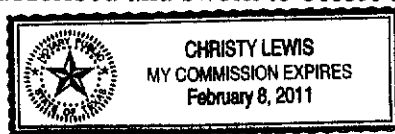
VERIFICATION

STATE OF TEXAS)
)
COUNTY OF HARRIS)

I, Brenda Crockett, being first duly sworn upon my oath, depose and state that I am Vice President for Champion Energy, LLC; that I have reviewed the information contained and attached to Champion Energy's 2008 Annual Report; that I have read the above and foregoing Petition for Relief; and that said contents are true, correct and complete to the best of my knowledge, information and belief.


Brenda Crockett

Subscribed and sworn to before me this 27th day of January, 2009.



Notary Public

